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An Act To Protect the Rights of Siblings Separated by Adoption

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 18-A MRSA §9-105, as enacted by PL 1995, c. 694, Pt. C, §7 and affected by Pt. E, §2, is amended to read:

§ 9-105. Rights of adopted persons

Except as otherwise provided by law, an adopted person has all the same rights, including inheritance rights, that a child born to the adoptive parents would have. An adoptee also retains the right to inherit from the adoptee's biological parents if the adoption decree so provides, as specified in section 2-109, subsection (1). An adoptee who has not attained 21 years of age and who has had sibling relationships disrupted by the adoption of that person from foster care continues to have the right of contact with birth siblings, when in the person's best interest and by order of the court. The adoption decree may stipulate the conditions of contact.

SUMMARY

This bill protects the right of an adoptee who is under 21 years of age and has had sibling relationships disrupted by the adoption of that person from foster care to maintain contact with that person's siblings. An adoption court has the authority to weigh the person's best interest against the person's right to maintain sibling contact and, if contact is approved, may incorporate in the adoption decree any appropriate conditions of contact between siblings.